



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/617,608	07/17/2000	Raman K. Rao	Rao-014	5678

7590 11/06/2003

Stephen E Baldwin  
PMB 621  
751 Laurel Street  
San Carlos, CA 94070

EXAMINER

TON, ANTHONY T

ART UNIT	PAPER NUMBER
2661	

DATE MAILED: 11/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/617,608

Applicant(s)

RAO ET AL.

Examiner

Anthony T Ton

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07/17/2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claim 9 has been renumbered. Claims 9 through 32 have been renumbered, respectively.

Also, because the Claims 9-32 have been renumbered, the following dependent claims should be revised for an appropriate claim wherein the dependent claims refer to:

- Renumbered Claim 11, line 1: "Claim 11" should be changed to "Claim 10";
- Renumbered Claim 13, line 1: "Claim 13" should be changed to "Claim 12";
- Renumbered Claims 15 through 21, line 1: "Claim 15" should be changed to "Claim 14"; and
- Renumbered Claims 23 through 29, line 1: "Claim 23" should be changed to "Claim 22".

2. Claim 2 is objected to because of the following informalities: Acronyms "T/R" in line 5 of the claim should be clearly specified. It is suggested to change "T/R units" to "Transmitter/Receiver (T/R) units".

Appropriate correction is required.

### ***Drawing Objections***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: A communication system "200" specified on lines 8 and 9 in page 6 of the application specification cannot be found in Figure 2; it is suggested that add label "200" to Figure 2 to specify the Figure 2. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "302" has been used to designate both CT/MD and the internal electronic components of the CT/MD; it is suggested that the label "302", which located inside the box of the CT/MD in Figure 3, should be removed from the box of the CT/MD. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to under 37 CFR 1.83(a) because they fail to show "Sever C" as described on line 14 in page 16 in the specification; it is suggested that add "Sever C" into the blank box of the label 1314 in Figure 13. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

6. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "1324" in Figure 13 has been used to designate a Server located inside Virtual Private Network (VPN) 1306 and a CT/MD located inside VPN 1310; it is suggested that to change the "1324", which designated the CT/MD inside the VPN 1310 in Figure 13 to "1334". A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification Objections***

7. The disclosure is objected to because of the following informalities:

a) Page 3 line 10; and page 7 line 16: "(T/R) unit CT/MD" should be changed to "(T/R) unit in the CT/MD" to specify the location of the T/R unit.

b) Page 6 lines 8 and 9: "a communication system 200" cannot be found in the Figure 2 of Drawings (see the objection in the item 3 above).

c) Page 9 lines 4, 5 and 9: "a non-wireless device (NWD) 612" in lines 4 and 5, and "CT/MD 612" in line 9 are conflicted since having one label number "612", used by two different devices NWD and CT/MD.

d) Page 18, lines 17 and 19: The term "CT/MD" should be changed to "network switch box" since the item 8 in the specification recites "a network switch box" not "a CT/MD".

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

9. Claims 2-32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a) Claim 2, where applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine that claim term. *Process Control Corp. v. HydReclaim Corp.*, 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). Terms "CT/MD device" in claim 2 is used by the claim to mean a "cellular telephone/mobile device", while the accepted

meaning is "CT/MD" not the "CT/MD device". The term is indefinite because the specification does not clearly redefine the term.

b) Claim 3 recites the limitation "the CT/MD" in line 1. There is insufficient antecedent basis for this limitation in the claim.

c) Claim 4 recites the limitation "The device apparatus" in line 1. There is insufficient antecedent basis for this limitation in the claim.

d) Claim 6 is rejected since it is dependent upon the claims 4 and 2.

e) Claims 5, and 7-32 are rejected since they are dependent upon the independent Claim 2.

### ***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1 – 4, 6, 14, 16, 17, 19, 20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson (US 5,465,401) in view of Gardner (5,533,029).

a) Claim 1: Thompson (refer to the IDS) disclosed a communication system and methods for enhanced information transfer comprising the steps of:

providing multiple first ports on the wireless device (see Fig.1, wireless device 50; ports connected to land lines 34 and antenna 43; col. 3 lines 5-8);

providing multiple second ports on the server (see Fig.1, central facility 22; ports connected to land lines 34, antennas 36 and 38; col. 6 lines 57-66);

Thompson did not explicitly disclose the step of transmitting multiple IP data packets between the first and second ports concurrently, whereby a transmission rate between the wireless device and sever is increased (see col.2, line 43 – col.3, line 22). However, Thompson explicitly disclosed an application module 100 (see Figure 10) that offers enhanced flexibility and capabilities for users of communication wired or wireless devices; the module 100 may also include an appropriate protocol for each type of communication (see col. 16 lines 22-35); moreover, in a complex security functions, more than one module 100 may be installed in the lid 54 of the wireless device 50 (see Fig. 2; col. 18 lines 7-9).

Gardner does teach such a transmitting of IP data packets, whereby a transmission rate between two devices is creased (see Duplexes 60 and 60' in Fig. 5 and IP Router in Fig. 10; and col. 22, line 40 - col. 23, line 16. Therefore, it would have been obvious to one of ordinary skill in the art to provide such IP packets and transmission rate of Thompson, as taught by Gardner so that users in a wireless communication system can communicate to each other via internet.

b) Claim 2: Thompson disclosed a communication system (20) which is provided with multiple purpose personal communication devices (50 and 150) see



Fig. 1, wherein the device 50 can be a wireless device or a cellular telephone (see col. 3, lines 5-8), and the device 50 can be operated by multiple transceivers and antennas with different specific frequencies (see Fig.1; col. 3 lines 52-60; col. 6 lines 49-56).

Thompson did not disclose the wireless device including a mobile device. Gardner teaches such a mobile device (see label 22 in Figure 2). It would have been obvious to one of ordinary skill in the art to employ a mobile device of Thompson, in order to establish a link and communicate to user's mobile end system as taught by Gardner.

c) Claim 3: The wireless device as in Claim 2 including multiple processors (see col.10 lines 44-53).

d) Claim 4: The device apparatus as in Claim 2 further including multiple ports on the wireless device (see ports connected to land lines 34 and antenna 43; col. 3 lines 5-8).

e) Claim 6: Thompson and Gardner would apply the rejections on the claim 1 to the claim 6, in means as taught.

f) Claim 14: A device as in Claim 2 comprising a cellular telephone/mobile device with multiple input/output ports (see ports connected to land lines 34 and antenna 43; col. 3 lines 5-8).

g) Claim 16: The CT/MD of Claim 14 comprising the input/output ports including a coaxial cable port (see col. 6 lines 54-56).

h) Claim 17: The CT/MD of Claim 14 comprising the input/output ports including a standard telephone port (see col. 6 lines 54-56).

i) Claim 19: Thompson failed to teach a cellular telephone/mobile device comprising input/output ports including an Ethernet port. Gardner does teach such an Ethernet port (see Gardner, Fig.10, col.22 lines 46-47). It would have been obvious to one of ordinary skill in the art to employ such an Ethernet port of Thompson as taught by Vaziri et al. so that users can communicate to each other through LAN/WAN networks.

j) Claim 20: The CT/MD of Claim 14 comprising the input/output ports including an optical port (see col. 6 lines 54-56).

k) Claims 22: Thompson and Gardner would apply the rejections on the claim 4 to the claim 22 in a network switch box as taught.

***Claim Rejections - 35 USC § 103***

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 5 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson (US 5,465,401) and Gardner (US 5,533,029) as applied to claim 2 above, and further in view of Angwin et al. (US 6,246,688).

Thompson did not explicitly teach the device as in Claim 2 further including a wireless cradle adapter to enhance the connectivity; however, Thompson taught a desk top console 200, thereof a wireless device (see Label 90 in Figure 8) or non-wireless device (see Label 86 in Figure 8) can be placed in it (see Fig. 1 and col. 9 lines 55-60). Angwin et al. utilized such an adapter (see Label 210 in Fig. 2B and col. 2 lines 8-10). It would have been obvious to one of ordinary skill in the art to modify the console 200 of Thompson to become the cradle adapter as taught by Angwin et al. so that an external cellular phone can be plugged into an adapter in a device for voice dialing or phone calls.

***Claim Rejections - 35 USC § 103***

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 7-9, 10-13, 15, 18 and 21, and 23-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson (US 5,465,401) and Gardner

(US 5,533,029) as applied to claims 2 and 14 above, and further in view of Vaziri et al. (US 6,377,570).

a) Claims 7-9: Both Thomson and Gardner failed to teach a wireless device including a network switch box. Vaziri et al does teach such a switch box (see Fig. 12). Therefore, it would have been obvious to one of ordinary skill in the art to employ such a switch box of Thompson as taught by Vaziri et al. so that users can have optional choices to use either internet or telephone.

b) Claims 10-13, Thompson, Gardner and Vaziri et al. would apply the rejections all claimed subject matters in the claims 7-9 to the claimed subject matters of the claims 10-13, in a network switch box as taught.

c) Claims 15, 18 and 21: Both Thomson and Gardner failed to teach a cellular telephone/mobile device comprising input/output ports including:

a universal serial bus port (claim 15); a twisted pair port (claim 18); and the input/output ports being variable (claim 21). Vaziri et al does teach such ports (see Vaziri et al: Fig.4, col.12 line 4-5). Therefore, it would have been obvious to one of ordinary skill in the art to employ such ports of Thompson as taught by Vaziri et al. for optional usages.

d) Claims 23-29, Thompson, Gardner and Vaziri et al. would apply the rejections on the claims 15-21 to the claims 23-29, respectively, in a network switch box as taught.

***Claim Rejections - 35 USC § 103***

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thompson (US 5,465,401) and Gardner (US 5,533,029) as applied to claim 2 above, and further in view of Gernert et al. (US 6,600,734)

a) Claim 30: Thompson and Gardner failed to teach a cellular telephone/mobile device comprising input/output ports including a docking station. Gernert et al. does teach such a docking station (see Gernert et al., col. 5 lines 29-30). It would have been obvious to one of ordinary skill in the art to employ such a docking station of Thompson as taught by Gernert et al., in order to users can keep their wired or wireless devices securely in such a docking device.

b) Claim 31: Thompson, Gardner and Gernert et al. would apply the rejections on the claim 30 to the claim 31 in a network switch box as taught.

***Citation of Relevant Prior Art***

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Patent number of the prior art listed below is considered

as citation of relevant prior art in the field of the invention relating to a method and system to interface IP based wireless devices and wireless networks with optical and other networks for improved flexibility, performance and the rate of data transfer:

Paneth et al. (US 5,121,391); Bud et al. (US 5,598,407); Klughart (US 5,025,486); Shipley (US 5,633,742); Scherzer et al. (6,519,478); Ling (US 6,466,558); and Wall (US 6,640,086).

***Examiner Information***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony T. Ton whose telephone number is 703-305-8956. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas W Olms, can be reached on (703) 305-4703. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

ATT



DOUGLAS OLMS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600